

REMARKS

In response to the non-final office action of September 3, 2008, applicants ask that all claims be allowed in view of the following remarks. Claims 1 and 2 are now pending as originally filed.

The office action rejected claims 1 and 2 as being anticipated by United States Patent No. 5,812,769 ("Graber"). Applicants submit, however, that Graber fails to disclose or suggest at least "selecting an advertisement, based upon stored information about said user node, to send to said user node in response to said first advertising request," as recited by claim 1. The office action cites col. 5, lines 25-54 of Graber for teaching this feature. However, the cited portion of Graber merely discloses that "when the user of user station 102a clicks on an advertisement for OLS 140 at WWW site 122a, WWW site 122a forms a special destination URL having two parts." The first part is associated with the destination, and the second part is associated with the WWW site 112a. Thus, Graber fails to disclose or suggest selecting an advertisement to send to a user node based on stored information about the user node.

In the "response to arguments" section on page 3, the office action states that "the user basically clicks (selects) on one of the URLs to view the actual ad." Applicants submit that such user selection from among a plurality of links is not adequate to disclose "selecting an advertisement, based upon stored information about said user node, to send to said user node in response to said first advertising request," as recited by claim 1, at least because there is no selection "based upon stored information about said user node." Moreover, the office action characterized Fig. 1 of Graber as teaching "a plurality of links that are embedded to the user page wherein a user can click on the links to open the ad." See page 3, lines 8-9, of the office action. This is a mischaracterization of Graber because Fig. 1 does not teach a plurality of links, as suggested by the office action, but instead merely illustrates the two-part destination URL including the URL of the destination (www.ols.com) along with a portion associated with the site on which the user clicked the ad (\CM1\, \CM2\, or \CM3\). Thus, the web addresses illustrated in Fig. 1 are not links from which a user can select, and, in any event, such selection is not sufficient to disclose or suggest the recited selection "based upon stored information about said user node."

At least for the reasons set forth above, reconsideration and withdrawal of the rejection of claims 1 and 2 is respectfully requested.

All of the pending issues have been addressed. The absence of a reply to a specific rejection, issue, or comment, however, does not signify agreement with or concession of that rejection, issue, or comment. In addition, applicants note that other reasons for patentability of claims 1 and 2 may exist. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply.

If the Examiner has any questions regarding this document, applicants ask that the Examiner contact applicants' undersigned attorney.

Payment for the fee for a three-month extension of time is made by deposit account authorization on the Electronic Filing System. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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